

# CITY COUNCIL PROCEEDINGS

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## MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, April 9, 2002  
Tuesday, 9:01 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

Rev. Earl Wall, Gloria Dei Lutheran Church, gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved      The Minutes of the regular meeting of April 2, 2002, were approved 7 to 0.

## AWARDS AND PRESENTATIONS

DISCOVERY CONTEST Summer of Discovery Contest Winners were recognized

MCCONNELL AFB      Col. Ronald R. Ladnier was recognized.

BASKETBALL CHAMP Kansas State High School 6A Basketball Champions were recognized

WICHITA'S PROMISE Wichita's Promise – Youth Community Service Awards were presented.

PROCLAMATIONS      Proclamations previously approved were presented.

## PUBLIC AGENDA

### Peter Austin – Fair Fares Campaign.

Peter Austin      Peter Austin, employee of an airline, spoke against Fair Fares as a campaign that works against other airlines within Wichita. Mr. Austin asked that the City Council not set a preference for any one air company, and that the Agreement with AirTran be canceled.

Mayor Knight      Mayor Knight said he had personally met with most of the major airlines requesting reasonable airfares in and out of Wichita. The airlines did not respond. There are only 13 or 14 cities with more expensive airfares than Wichita. The City is losing business because of airfare rates.

## UNFINISHED BUSINESS

### MUN. COURT JUDGES POLICY ON EVALUATION PROCEDURES FOR MUNICIPAL COURT JUDGES.

(Continued from April 2, 2002)

Motion – carried      Knight moved that this Item be deferred to May 7, 2002. Motion carried 7 to 0.

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## FESTIVAL

### CONSIDERATION OF PROPOSED FESTIVAL ORDINANCES.

(Continued from March 19, 2002)

Gary Rebenstorf

Director of Law reviewed the Item.

Agenda Report No. 02-1134.

Wichita River Festivals Inc. requests changes to current ordinances. The ordinances would essentially make three substantive changes: (1). Recognize Wichita Festivals Inc. as the sponsoring organization for events and activities in addition to the annual River Festival; (2). Permit admission to be charged for events related to the annual River Festival held on City park property; and (3). Permit street and sidewalk vending as part of its permit without making separate application for each separate event.

The Wichita River Festival currently has its own application and permit procedure established by ordinance. The proposed changes would make this process applicable to other events sponsored by Wichita Festivals Inc. and would allow the organization to conduct other activities under its issued permits. The changes would also allow street and sidewalk vending to be included in its permit process without the necessity for separate application.

Current City Ordinances applicable to City Park and Recreation facilities prohibit the charging of admission for events held on City Park and Recreation property if areas on park property are closed off to the general public. The proposed amendment would permit admission only for River Festival events and on specific sites approved by the Park and Recreation Department. The Board of Park Commissioners conducted a hearing on March 11, 2002 and approved this concept. However, the board wanted a review of the final draft of the ordinances at its April meeting.

The Park Board reviewed and approved the proposed Ordinances.

Motion –

Knight moved that the Ordinances be placed on first reading.

Council Member Martz

Council Member Martz requested a one-week deferral.

Amended Motion – carr.

Knight moved an amended motion that the Item be deferred to April 16, 2002. Motion carried 7 to 0.

### NEW BUSINESS

## PAVING

### PETITION TO PAVE WIEDEMANN AND CHAUTEAU STREETS IN K.T. WIEDEMANN BUSINESS PARK – SOUTH OF KELLOGG, WEST OF GREENWICH. (District II)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 02-1253

The signatures on the Petition represent 2 of 3 (66.6%) resident owners and 90.18% of the improvement district area. The project was discussed by the District II Advisory Board on March 18, 2002. The Board voted 8-0 to recommend approval.

The project will provide paved access to a partially developed commercial addition.

The project budget contained in the Petition is \$244,000 with the total assessed to the improvement district. The method of assessment is the fractional basis. The estimated assessment to individual properties ranges from \$12,050 to \$56,400 per lot.

Legal Considerations: State Statutes provide that a Petition is valid if signed by a majority of resident property owners, or by the owners of the majority of the property in the improvement district.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

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- Mr. Treadwell Mr. Treadwell, property owner, questioned the purpose of the replat, and whether the replat was a requirement of the City.
- Mike Lindebak City Engineer explained that he was not aware of any hidden agendas. The original plat had loop streets and the owner now wants cul-de-sac streets. The new street design should reduce rather than increase costs. The new design is also compatible with future Kellogg development.
- Motion -- carried Pisciotte moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

## RESOLUTION NO. 02-195

Resolution of findings of advisability and Resolution authorizing improving Wiedemann from Kellogg Frontage Road South 565 feet and Chateau Street from Kellogg Frontage Road South 738 Feet (south of Kellogg, west of Greenwich) 472-83525, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Pisciotte moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## BUTTONWOOD

### **PUBLIC HEARING ON THE ISSUANCE OF TAX-EXEMPT MULTI-FAMILY HOUSING REVENUE BONDS – BUTTONWOOD TREE APARTMENTS.** (District II)

- Allen Bell Financial Projects Director reviewed the Item.

#### Agenda Report 02-1254

On April 2, 2002, the City Council approved first reading of an Ordinance for issuance Tax-Exempt Multi-Family Housing Revenue Bonds to Buttonwood Tree L.L.C., in an amount not-to-exceed \$7,750,000. The proceeds of the proposed bonds will be used to finance the cost of acquisition and rehabilitation of an existing 216-unit apartment project known as Buttonwood Tree Apartments, located at 9211 East Harry in southeast Wichita. City Council previously approved a resolution in support of the developer's application for Low-Income Housing Tax Credits. Due to changes from the original Letter of Intent and structure for the Multi-Family Housing Revenue Bonds, to satisfy the federal tax code, it is necessary to hold a new TEFRA Hearing.

Pursuant to federal law, a public hearing ("TEFRA Hearing") was held at the time of approval of the Letter of Intent for this project. Since the original Letter of Intent was approved, a change in tenant has taken place as well as other changes from the original proposed request. To satisfy federal tax regulations, a new TEFRA Hearing is necessary. Federal law requires a notice be published at least 14 days in advance of the hearing. Because of this requirement, it became necessary to hold the TEFRA Hearing in conjunction with second reading of the bond ordinance.

There is no financial impact on the City in publishing the notice.

The public hearing held in conjunction with this item satisfies the TEFRA hearing requirement in the federal tax code for tax-exempt bonds.

- Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

- Motion -- Pisciotte moved that the public hearing be closed and second reading of the Bond Ordinance authorizing the execution and delivery of documents for the issuance of Tax-Exempt Multi-Family Housing Revenue Bonds in an amount of \$7,750,000 be approved. Motion carried 7 to 0.
- carried

## ORDINANCE NO. 45-286

An Ordinance authorizing the City of Wichita, Kansas, to issue its Multifamily Housing Revenue Bonds for the purpose of providing funds to acquire and rehabilitate a residential rental facility located in the City of Wichita, Kansas; and prescribing the form and authorizing execution of various

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documents relating to the issuance of and security for the Bonds, the lease of the facility, and the sale of the Bonds, read for the second time. Pisciotte moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## HUD

### HUD CONSOLIDATED PLAN – 2002/2003 ONE-YEAR ACTION PLAN.

Tom Smith

Grants-in-Aid Coordinator reviewed the Item.

Agenda Report No. 02-1255

On March 5, 2002, the City Council approved funding allocations for the 2002/2003 Consolidated Plan. The preliminary One-Year Action Plan includes Community Development Block Grant funding allocations, HOME Investment Partnership funds, and Emergency Shelter Grant funds. To receive these federal funding allocations, HUD requires cities prepare a One-Year Action Plan listing projects and services to be undertaken, their location and proposed activities. The proposed One Year Action Plan must be submitted for public comment prior to final adoption by the City Council.

The City's preliminary 2002/2003 One-Year Action Plan lists the federal resources expected to be available from various grant assistance programs to address priority needs (as adopted by the City Council), a description of the activities to be funded by the City Council, the geographic location of the activities and homeless, and other special needs and activities to be undertaken during the fiscal year. The 2002/2003 One-Year Action Plan covers the period beginning July 1, 2002 and ending June 30, 2003.

On March 26, 2002, the City Council informally considered uses for prior year CDBG funding totaling \$1,380,000. It is recommended the prior year funding be reallocated for Heartspring demolition, homeless facilities renovation, ADA improvements and deferred maintenance on City facilities.

The 2002/2003 One-Year Action Plan totals \$7,635,019 and is comprised of grant funds in the amount of \$6,026,000, estimated income (primarily from revolving funds such as Historic Loans) of \$219,000. The balance of funds includes funds from prior year projects.

The City has met all federal requirements to proceed with issuance of a preliminary One-Year Action Plan. A thirty-day public comment period is required, beginning April 11, 2002 and ending on May 10, 2002.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Knight moved that reallocation of prior year funds, the additional projects, and the proposed 2002/2003 One-Year Action Plan as an amendment to the City's Consolidated Plan be approved; and implementation of the public comment period be authorized.

Substitute Motion --

Fearey moved that reallocation of prior year funds, additional funds, and proposed 2002/2003 one-year action plan be approved to read as follows:

Land acquisitions	Delano/Historic Midtown/Urban League	\$134,119
Tennis Court Repair/Replace	Planeview Park	\$ 80,000
Sidewalk Replacement/Hardships	Unidentified Eligible	\$ 10,000
Evergreen Park Sidewalk	(Library – C/H)	\$ 23,000
Midtown Community Resource Center (Roof Mechanical & Interior repairs)		\$ 50,000
	Total	\$297,119

--carried

Substitute Motion carried 7 to 0.

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## **ASSEMBLY REPORT    WICHITA ASSEMBLY REPORT.**

Cathy Holdeman                      City Manager's Office reviewed the Item.

Mike Hill                                Mike Hill presented the Assembly results.

Agenda Report No. 02-1256

The Wichita Assembly: Community Reconnection: A New Beginning for Offenders convened on the Wichita State University campus on February 1 and 2, 2002. The purpose of the Assembly was to provide a forum where community members representing social and housing services, criminal justice, neighborhoods, business, education, government and the religious community could discuss the challenges associated with offenders re-entering the community. Participants were provided with background papers on offender re-entry issues. The Assembly included guest speakers who provided insight on how to address the needs and concerns of offenders, victims and law-abiding citizens. Additionally, the Assembly provided time for work groups to discuss and provide recommendations on housing, employment, community services and community safety issues.

The participants of the Wichita Assembly provided recommendations in four areas: Community Safety; Employment; Community Services; and Housing. The recommendations recognized the need for a public private partnership that engages the entire community. In each of the four areas, participants recommended the need for an Offender Re-entry Task Force to be appointed by the City of Wichita and Sedgwick County for the purpose of reviewing and implementing the recommendations generated at the Assembly and evaluating the effectiveness of existing boards.

Participants also recommended the development of re-entry plans for offenders and the creation of advocacy teams to help establish effective programs for offenders. They concluded that stronger relationships need to be developed with the business community to identify employment and training opportunities for offenders. In addition, the community needs to work to develop a better service delivery network for offenders and to also develop a means for victim-offender reconciliation. Finally, the participants determined that the community needs to work to develop affordable housing and to increase communication to area residents to remove stereotypes and the fear associated with offenders returning to the community.

Mayor Knight                          Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion – carried                      Knight moved that the report be received and filed. Motion carried 7 to 0.

## **CITY COUNCIL AGENDA**

(Addendum Item 8A)  
**SELECT V. MAYOR**

### **SELECTION OF VICE MAYOR.**

The Council proceeded to vote and, on the first ballot, selected Council Member Martz as Vice Mayor by a vote of 7 to 0.

OATH OF OFFICE                      Council Member Martz was administered the Oath of Vice Mayor by Municipal Court Administrative Judge Julie Wright-Connolly.

## **PROCLAMATIONS    PROCLAMATIONS**

--Mental Health Month  
--Arson Awareness Month

Motion – carried                      Knight moved that the Proclamations be approved. Motion carried 7 to 0.

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## APPOINTMENT

### BOARD APPOINTMENT.

Motion --  
-- carried

Gale appointed Gary Stein to District Advisory Board IV and moved that the appointment be approved. Motion carried 7 to 0.

### CONSENT AGENDA

Motion -- carried

Knight moved that the Consent Agenda be approved as consent Items. Motion carried 7 to 0.

## BOARD OF BIDS

### REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED APRIL 8, 2002.

Bids were opened April 5, 2002, pursuant to advertisements published on:

Storm Water Sewer #567 to serve Wilson Farms Third Addition - south of 21st Street North, west of Webb. (468-83398/751311/485202) Traffic to be maintained during construction using flagpersons and barricades. (District II)

Nowak Construction - \$149,748.31

Santa Fe from the north line of 14th Street to the south line of 15th Street North to serve North Park Addition - east of Broadway, north of 13th Street North. (472-83432/765702/490813) Traffic to be maintained during construction using flagpersons and barricades. (District VI)

Cornejo & Sons Construction - \$96,085.00

Water Main Replacement in Aley from Broadway to the dead end west of Wellington, Burnett from Broadway to Market, Burnett from Park Place to the dead end west of Wellington, 26th Street North from Broadway to the dead end west of Wellington, Wellington from 26th Street North to Aley, and Park Place from Burnett to Aley to serve North Lawn Addition, Buckeye Addition, Gardner's Addition, Aley Park Addition - west of Broadway, south of 29th Street North. (448-89558/634010/771181) Traffic to be maintained during construction using flagpersons and barricades. (District VI)

Nowak Construction - \$175,725.43

Water Distribution System to serve Smithmoor 10th Addition - north of Pawnee, west of Greenwich. (448-89666/735050/470720) Does not affect existing traffic. (District II)

WBW Contractors - \$34,913.75

Water Supply Line to serve McEvoy Addition and Equestrian Estates - south of Harry, along 127th Street East. (448-89644/735036/470706) Traffic to be carried through construction. (District II)

Wildcat Construction - \$114,256.00

Lateral 327, Four Mile Creek Sewer to serve Balthrop Fourth Addition - north of Central, east of Greenwich. (468-83390/743914/480602) Does not affect existing traffic. (District II)

Nowak Construction - \$144,513.00

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

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HOUSING SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION: Mowing, Trimming and Edging Services. (097027)

Visions Landscape - \$40.00 (Item 1)  
\$15.00 (Item 2)  
\$40.00 (Item 3)  
\$52.00 (Item 4)  
\$70.00 (Item 5)

POLICE DEPARTMENT/VARIOUS DIVISIONS: Motorola Portable Radios. (602126)

Atlanta Communications Company - \$100,776.00\* (Total net bid)  
\*\*Plus applicable rebate offered by Motorola of \$50.00 per radio and \$15.00 for every \$100.00 worth of accessories.

WICHITA TRANSIT DEPARTMENT/DOWNTOWN CENTER DIVISION: Downtown Transit Center Rehabilitation. (629459)

Conco Inc. - \$52,566.00 (Total net bid)

WATER & SEWER DEPARTMENT/WATER DISTRIBUTION DIVISION: Pneumatic Boring Tool. (183327)

T.T. Technologies, Inc. - \$9,625.00 (Total net bid)

WATER & SEWER DEPARTMENT/MAINS AND SERVICES DIVISION: Relocation of Water and Sewer Mains. (633739)

Simpson & Associates - \$2,909,000.00 (Base bid)  
\$ 887,500.00 (Alternate No. 1)  
\$ 878,000.00 (Alternate No. 2)  
\$ 4,100.00 (Alternate No. 6A)  
\$ 3,500.00 (Alternate No. 6B)  
\$ 2,900.00 (Alternate No. 6C)  
\$ 7,100.00 (Alternate No. 7A)  
\$ 6,100.00 (Alternate No. 7B)  
\$ 5,100.00 (Alternate No. 7C)  
\$ 19,000.00 (Alternate No. 8)  
\$ 7,600.00 (Alternate No. 9)  
\$ 40,200.00 (Alternate No. 10)  
\$ 22,200.00 (Alternate No. 11)  
\$ 22,500.00 (Alternate No. 12)  
\$ 44,000.00 (Alternate No. 13A)  
\$ 24,000.00 (Alternate No. 13B)  
\$ 23,400.00 (Alternate No. 13C)  
\$ 27,000.00 (Alternate No. 14A)  
\$ 25,000.00 (Alternate No. 14B)  
\$ 19,000.00 (Alternate No. 14C)  
\$ 7,300.00 (Alternate No. 21A)  
\$ 7,300.00 (Alternate No. 21B)  
\$ 7,300.00 (Alternate No. 21C)  
\$ 71,500.00 (Alternate No. 23)  
\$ 35,000.00 (Alternate No. 24)  
<\$ 7,400.00> (Alternate No. 25 <deduct>)  
<\$ 42,400.00> (Alternate No. 27A <deduct>)  
<\$ 11,900.00> (Alternate No. 27B <deduct>)  
<\$ 16,100.00> (Alternate No. 27C <deduct>)

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Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

## LICENSES

### APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2002</u>	<u>(Consumption on Premises)</u>
Jose A. Garcia	Garcia's Tacos*	2138 North Market
Miguel Reyes	Rostizeria Los Reyes*	512 West 21st Street
Edith Boede	Lil Mexico*	1601 East Pawnee

#### (Consumption off Premises)

Helen Lu	KC Store LLC	1161 North Broadway
David Bullington	Wal-Mart #8254	6200 West Kellogg
Julie Gregg	Kum & Go #323	3405 South West Street
Julie Gregg	Kum & Go #326	277 South Ridge Road
William Krause	Kum & Go #327	707 North Waco
William Krause	Kum & Go #328	6330 East 21st Street

<u>New Operator</u>	<u>2002</u>	<u>(Consumption on Premises)</u>
Matly Santibanez	La Familia Restaurant*	945 West 31st Street

\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion -- Knight moved that the licenses be approved subject to Staff review and approval. Motion carried  
-- carried 7 to 0.

## PLANS AND SPECS. SUBDIVISION PLANS AND SPECIFICATIONS.

There were no subdivision plans and specifications submitted.

## PRELIMINARY ESTS. PRELIMINARY ESTIMATES :

- a) 2002 Contract maintenance area concrete street repairs Phase 4 - north of 55th Street South, east of Hoover. (472-83492/132712/) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III&VI) - \$350,000
- b) Incidental drainage Phase II (Emory Park) between MacArthur and 47th Street South for Hydraulic Avenue Paving - 45th Street South and Hydraulic - 45th Street South and Hydraulic - (472-83324 /706810/201275) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$2,236,000
- c) Onewood, from the east line of Onewood Place, west to the west line of the plat; Onewood Place (Lots 1 through 11, Block D, Lots 28 through 52, Block D and Lots 1 through 21, Block E, including two cul-de-sacs, Lots 16 through 21, Block E, and Lots 7 through 11, and Lots 28 and 29, Block D) to serve Auburn Hills 12th Addition - west of 135th Street West, south of Maple. (472-83291/765722/490833) Does not affect existing traffic. (District V) - \$286,000
- d) Pine Meadow Street, from 21' east of Pine Meadow Court to the west Line of Lot 1, Block 2, Pine Meadow Second Addition; sidewalk on the North side of Pine Meadow from Pine Meadow Court to the West line of Lot 1, Block 2 to serve Pine Meadow and Pine Meadow Second Addition - east of Greenwich, south of 13th Street North. (472-83448/765710/490821) Does not affect existing traffic. (District II) - \$501,000



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- e) Pine Meadow/ Bedford Street, from the West Line of Lot 1, Block 2, to the South Line of Lot 6, Block 2; Bedford Circle, from the East Line of Bedford to and including the cul-de-sac; Bedford Court, from the East Line of Bedford Circle to the cul-de-sac serving Lots 23 through 33, Block 1; Bedford Court, from the East Line of Bedford Street to and including the cul-de-sac serving Lots 36 through 50, Block 1; sidewalk on the North and East side of Pine Meadow/Bedford from the West line of Lot 1, Block 1, to the South line of Lot 50, Block 1 to serve Pine Meadow and Pine Meadow Second Addition - east of Greenwich, south of 13th Street North. (472-83449/765711/490822) Does not affect existing traffic. (District II) - \$191,000
- f) Lateral 321, Four Mile Creek Sewer to serve Maple Shade Addition - east of Webb, north of Pawnee. (468-83356/743910/480598) Does not affect existing traffic. (District II) - \$82,000
- g) Storm Water Sewer 560 to serve Maple Shade Addition - east of Webb, north of Pawnee. (468-83358/751310/485201) Does not affect existing traffic. (District II) - \$81,000
- h) Water distribution system to serve Maple Shade Addition - east of Webb, north of Pawnee. (448-89638/735043/470713) Does not affect existing traffic. (District II) - \$36,000
- i) Water distribution system to serve Fairmont Addition - north of 21st Street North, west of Greenwich. (448-89659/735045/470715) Does not affect existing traffic. (District II) - \$146,000
- j) Water distribution system to serve Church of The Magdalen Addition - north of 21st Street North, west of Greenwich. (448-89536/735048/470718) Does not affect existing traffic. (District II) - \$62,000
- k) Tipperary from the west line of Lot 1, Block 1 to the east line of Lot 1, Block 3; and Bracken from the north line of Tipperary to the southerly line of Lot 21, Block 1; Bracken Court serving Lots 5 thru 10, Block 1; Bracken Circle serving Lots 11 thru 21, Block 1; and Tipperary Court serving Lots 3 thru 10, Block 3. A 5 foot sidewalk be installed on the north side of Tipperary and the east side of Bracken to serve Balthrop Fourth Addition (north of Central, east of Greenwich) (472-83468 /765721/490832) Does not affect existing traffic. (District II) - \$352,800
- l) 2002 Sanitary Sewer Reconstruction Phase 2 (Various Locations) - west of Oliver, south of 29th Street North. (468-83406/620336/662459) Traffic to be maintained during construction using flagpersons and barricades. (District I, IV, VI) - \$227,000
- m) Lateral 310, Four Mile Creek Sewer to serve Smithmoor 10th Addition - south of Harry, west of Greenwich. (468-83282/ 743915/480603) Does not affect existing traffic. (District II) - \$164,000
- n) Lateral 1, Main 12, Sanitary Sewer 23 to serve Eagles Landing at North Oliver Second Addition - west of Oliver, south of 45th Street North. (468-83284/743916/480604) Does not affect existing traffic. (District II) - \$258,000
- o) Storm Water Sewer 566 to serve Balthrop Fourth Addition - north of Central, east of Greenwich. (468-83392/751313/485204) Does not affect existing traffic. (District II) - \$309,600
- p) Storm Water Drain 181 to serve Brentwood South Addition - east of Webb, north of Pawnee. (468-83355/751309/485200) Does not affect existing traffic. (District II) - \$400,000
- q) Water Distribution System to serve Balthrop Fourth Addition - north of Central, east of Greenwich. (448-89654/735047/470717) Does not affect existing traffic. (District II) - \$79,800
- r) Central, Tyler to Woodchuck - (Central, Tyler to Woodchuck. (472-83192/80748/83515/448-89678/706835/765723/765727/202301/490834/490838) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$683,000
- s) Clark/Stoneybrook, from the south line of Lot 37, Block 2, Brentwood Village Addition to the south line of Lot 20, Block 2, Brentwood South Addition; Mt. Vernon, from the east line of Clark to the east line of Brentwood Village Addition; Clark, from the east line of Stoneybrook to the west line of

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Lot 2, Block 4, Brentwood South Addition; Cranbrook, from the north line of Clark to the north line of Brentwood South Addition; Stoneybrook Court to Stoneybrook Circle (Lots 4-11, Block 2) from the west line of Stoneybrook to and including the cul-de-sac; and S, from the east line of Stoneybrook to and including the cul-de-sac to serve Brentwood Village Addition; Brentwood South Addition; Maple Shade Addition - east of Webb, north of Pawnee. (472-83444/765713/490824) Does not affect existing traffic. (District II) - \$732,000

Motion – carried

Knight moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

## DEEDS/EASEMENTS

### DEEDS AND EASEMENTS:

- a) Sanitary Sewer Easement dated December 31, 2001, from Jeffrey Greenberg and C. Lynne Greenberg, Co-Trustees for the Chelsea Brooke Greenberg Family Living Trust and Jeffrey S. Greenberg and C. Lynne Greenberg, husband and wife, for a tract of land in Lot 1, Block 1, Chelsea Brooke Addition, Wichita, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.
- b) Sanitary Sewer Easement dated January 31, 2002, from Cinemas Associates, a Kansas General Partnership, for a tract of land in the SE 1/4 of Sec. 21, Twp. 27S, R-2-E of the 6th P.M., Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.
- c) Drainage Easement dated February 12, 2002, from Builder's Inc., for Lots 67 & 68, Block 2, the Legacy Addition, an addition to Wichita, Sedgwick County, Kansas (Private Project, OCA #607861). No cost to City.
- d) Drainage Easement dated March 15, 2002, from Preston Trails L.C. for tracts of land in Lots 11, 20 and 21, Block 1, and Lots 3 and 4, Block 2, all in Balthrop 4th Addition to Wichita, Sedgwick County, Kansas (Balthrop 4th, OCA #743914). No cost to City.

Motion --

-- carried

Knight moved that the documents be received and filed; and the necessary signatures be authorized Motion carried 7 to 0.

## SANITARY SEWER

### PETITION TO CONSTRUCT A SANITARY SEWER TO SERVE LOT 2, BLOCK A, BIKE AND RIDER ADDITION – NORTH OF PAWNEE, EAST OF MAIZE ROAD. (District V)

Agenda Report No. 02-1257

The Petition has been signed by two owners, representing 100% of the improvement district.

This project will extend sewer service to a single-family residence.

The Petition totals \$5,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

### RESOLUTION NO. 02-196

Resolution of findings of advisability and Resolution authorizing construction of Lateral 484, Southwest Interceptor Sewer (north of Pawnee, east of Maize) 468-83432, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Fearey moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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## **STREET CLOSURES      CONSIDERATION OF STREET CLOSURES/USES.**

There were no street closures submitted.

## **IMPROVEMENTS      RESPREAD ASSESSMENTS – HUNTER’S RIDGE AND PAWNEE MESA ADDITIONS – NORTH OF PAWNEE, EAST OF 119TH STREET WEST. (District V)**

Agenda Report No. 02-1258

The landowners, Greystone Construction, Inc. and Adrian W. & April D. Bond, have submitted an Agreement to respread special assessments within their ownership of Hunter's Ridge Addition and Pawnee Mesa Addition.

The land was originally included in an improvement district for a public improvement project. The purpose of the Agreement is to respread special assessments to more fairly distribute the cost of the improvements.

There is no cost to the City.

Motion --      Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.  
-- carried      Motion carried 7 to 0.

## **PED. BRIDGE      PEDESTRIAN BRIDGE OVER THE BIG DITCH AT ZOO BOULEVARD. (District V)**

Agenda Report No. 02-1259

On December 18, 2001, the City Council approved a project to construct a bike path on Zoo Boulevard from Westdale Drive to Windmill Road (CIP No. P-390009) that includes a pedestrian bridge that will connect to the Sedgwick County bicycle path system.

An Agreement has been drafted which will allow the City and County to jointly and equally contribute to the local share of the design and construction costs of the pedestrian bridge.

The project consists of constructing a bike path along the easterly side of Zoo Boulevard, from Westdale, under I-235, then westerly under the Zoo Boulevard Bridge to the pedestrian bridge to be built over the Big Ditch.

The total project cost is estimated to be \$810,000, with approximately \$560,000 paid by Federal Transportation Enhancement funds administered by KDOT and the remaining \$ 250,000 split between the City of Wichita and Sedgwick County. The 2000 Park CIP contained \$70,000 for the project. An additional \$55,000 is budgeted in the 2002 Park CIP to provide for the remainder of the City's \$125,000 commitment.

Motion --      Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.  
-- carried      Motion carried 7 to 0.

## **RECRUIT. SERVICES      RECRUITMENT SERVICES – PUBLIC WORKS DEPARTMENT.**

Agenda Report No. 02-1260

City staff advertised nationally and interviewed three candidates earlier this year, for the position of Fleet Maintenance Services Director, a new position resulting from the separation of the fleet-and building-maintenance functions currently combined in one division. None of the interviewed candidates had the desired combinations of technical and managerial skills and experience.

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The services of a recruiting firm which specializes in public sector management placements is recommended. The firm will be responsible for advertisement, identifying qualified candidates, conducting background and reference checks, and assisting with the interview process, as necessary.

Slavin Management Consultants has assisted the City with professional services in the past (Director of Parks & Recreation and Housing Director), and is currently under contract to recruit applicants for the City Engineer position. Because of the opportunity to combine communications and interview efforts with Public Works staff, Slavin has offered a lower fee for the Fleet Maintenance Division Head search.

Slavin Management's Consultant's fee for this recruitment is \$14,000, plus expenses. Funds are available from the Fleet Maintenance budget to offset the recruitment and selection costs.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.  
Motion carried 7 to 0.

## WATER STORAGE

### ELEVATED POTABLE WATER STORAGE TANK SUPPLEMENTAL. (Districts I and II)

Agenda Report No. 02-1261

The City provides treated drinking water to 368,000 people. The service population is projected to increase to over 450,000 by 2010. To ensure future water needs are met, the Water and Sewer Department initiated a study of its water system. The Water Master Plan was completed in November 1999 with a number of significant improvements being recommended to ensure adequate service levels now, and in the future. On March 6, 2001, City Council approved proceeding with the design and construction of the elevated storage facility for the northeast portion of the City's water system. On September 12, 2000, Black and Veatch Corporation was selected as the consultant to perform site selection for the elevated storage facilities and to prepare concept drawings for the facility.

The site for the northeast elevated storage facility has been selected. A Supplemental Agreement for the design of the facility was requested from Black and Veatch Corporation, based on their previous contract for site selection and concept drawings. They are uniquely qualified to provide the design for the facility within the project time frame. It is in the interest of the City to proceed with design and construction of the facility to resolve pressure and volume problems in the northeast pressure zone of the City's water system.

Supplemental Agreement No. 2 is for \$279,000. Northeast Elevated Water Tank (CIP W-811) has available funding of \$1,624,440. The project will be funded from Water Utility revenues and reserves or a future revenue bond issue.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.  
Motion carried 7 to 0.

## HOUSING SERVICES

### WICHITA INDOCHINESE CENTER/MENNONITE HOUSING REHABILITATION SERVICES; EXTENSION OF HOME DEVELOPMENT. (District III)

Agenda Report No. 02-1262

Wichita Indochinese Center (WIC) and Mennonite Housing Rehabilitation Services (MHRS), city designated Community Housing Development Organizations, were awarded HOME funding by the City Council in the amount of \$225,000, April 23, 1996. WIC is the primary agent with MHRS providing construction services. The HOME funding is to be utilized by the agencies to create affordable housing opportunities in the Planeview Local Investment Area.

WIC and MHRS have requested amendment of the funding agreement in order to complete additional projects under the agreement. At this point, one single-family home has been completed. Two additional sites were previously purchased for redevelopment. The completed home is under contract and it is anticipated that closing will occur within the next 30 days. Since HOME funds were utilized

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for purchase of the two additional sites, a HOME-eligible project must be completed at both sites. The agencies are requesting an extension of the construction completion period, until June 30, 2003.

The contract amendment will not provide for any additional funding, other than the amount originally approved by the Council. The funding provided under this agreement is part of the City's mandatory HOME CHDO set-aside, and can only be re-allocated for other CHDO projects if not used for this project.

HOME regulations require the completion of a project on sites acquired with HOME funding. An amendment to the funding agreement will be approved as to form by the City Law Department.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## FAIR HOUSING

### FAIR HOUSING INITIATIVES PROGRAM.

Agenda Report No. 02-1263

On March 5, 2002 the City Council approved CDBG funding to provide a portion of the supporting funds for a HUD grant that will fund the Fair Housing Initiatives Program to be managed by the Urban League.

Beginning April 9, 2002, for a period of twelve months the Urban League will implement and operate the Fair Housing Initiatives program that will serve low/moderate income individuals in the Wichita Neighborhood Revitalization Strategy Area. The Urban League will provide counseling and education programs related to housing issues and refer housing complaints to HUD.

The Urban League has received an award in the amount of \$100,000 from HUD. CDBG funding in the amount of \$7,500 will provide local support to operate the Fair Housing Initiative program.

Motion --  
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## NORTHWEST SEWER NORTHWEST SEWER IMPROVEMENTS PROGRAM MANAGEMENT – SUPPLEMENTAL. (District V)

Agenda Report No. 02-1264

On January 19, 1999, the City Council approved a plan for a new sewage treatment plant and improvements to serve northwest Wichita. The selection of a consultant to perform project management tasks was approved on September 28, 1999. Tasks included the development of plans, specifications, and project estimates for the design and construction phase. Plans for the supporting sanitary sewers, lift stations, and water lines are being prepared.

An interceptor sewer and 12-inch water line along 21st Street, from west of 119th Street west to 135th Street west, were to be located within the easement, adjacent to the street right-of-way. The easement was to be obtained from the property owners and discussions led Staff to believe an agreement would be reached. The property owners then decided that the tree removal was excessive to allow construction and negotiations stalled.

Project completion is scheduled for 2002; therefore it is important to avoid further delay. To avoid delay, it is necessary to redesign the water and sewer lines to allow construction within the existing street right-of-way. Staff requested a Supplemental Agreement for the redesign from the project manager.

The estimate for the construction of the treatment facility and improvements to the basins is \$23.1 million. The Supplemental Agreement No. 2 is for \$29,217. Funding is available in CIP S-512,

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Northwest Sewage Treatment Plant and Basins 1, 2, 3. The project will be funded by revenues and/or bond sales.

Motion --

-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## CHDO FUNDING

### MENNONITE HOUSING CHDO FUNDING. (Districts I, III, IV, and VI)

Agenda Report No. 02-1265

Mennonite Housing Rehabilitation Services, Inc. (MHRS) received HOME funding allocations in 1999, 2000 and 2001 for housing redevelopment projects to be completed in the Orchard Breeze, Northeast, North Central, and Hilltop Local Investment Areas (LIA's).

MHRS has requested modification of the Hilltop funding agreement in order to provide for the purchase of occupied structures and funding of related relocation expenses. Amendment of the Orchard Breeze Northeast/North Central LIA funding agreements has also been requested in order to allow for modification of the developer fee, in order to bring it in line with current industry standard, as well as the developer fees currently paid to other Community Housing Development Organizations.

The original HOME allocations for the MHRS projects and the corresponding estimated total project costs are as follows: Orchard Breeze Redevelopment Project, \$180,000, with a total project cost of \$1,072,060. Northeast/North Central Redevelopment Project, \$230,000, with a total project cost of \$1,071,400. Hilltop Redevelopment Project, \$185,000, with a total project cost of \$511,500. MHRS utilizes private sector construction loans in order to leverage the HOME funding allocations. Relocation expenses and Developer fees are eligible HOME program expenses. Additional HOME funding has not been requested and will not be provided under the agreements. Funding levels are sufficient to provide for the additional expenses.

The amendments to the funding agreements will be approved as to form by the City Law Department.

Motion --

-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## WATER

### WATER RECYCLING AND RE-USE PROFESSIONAL SERVICES.

Agenda Report No. 02-1266

As the conservation of water becomes more critical, the need to examine the feasibility and beneficial reuse of recycling water resources has become necessary and timely. Millions of gallons of usable water are daily discharged from public and private ground water clean-up projects, municipal wastewater treatment plants, and various commercial and industrial activities. City Staff is suggesting that such water resources that are now discharged into the sanitary sewers, storm sewers and the water ways in the City that may have a have potential re-use be evaluated. Staff is proposing that the current and future quantity and quality of these water resources within the community be determined along with the feasibility for re-use and recycling of this water for various activities such as irrigation, industrial process water, heating and cooling, fire-fighting, water features, commercial car washing, industrial boilers, concrete manufacturing, and other beneficial uses. To initiate this study, Staff issued requests for proposals to professional environmental engineering firms (Council's direction on January 18, 2002).

In response to the request for proposals the City received four (4) four water re-use and recycling proposals from environmental engineering firms. The Staff Screening and Selection Committee met on March 28, 2002 and interviewed all four of the firms who submitted proposals. CDM's proposal best addressed all of the tasks outlined and provided a number of innovative approaches regarding the use of both groundwater remediation water as well as gray water from wastewater treatment sources. Based

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on these interviews and review of the proposals the Committee is recommending the firm of Camp Dresser and McKee (CDM) to conduct the water re-use feasibility study.

Cost of the proposed feasibility study is estimated to be less than \$60,000.

A contract defining the scope of services will need to be negotiated and approved as to from by the Law Department.

Motion --  
-- carried

Knight moved that the Staff be authorized to negotiate a Contract with CDM for a water re-use and recycling feasibility study; and the necessary signatures be authorized. Motion carried 7 to 0.

## WATER MAIN

### INSTALLATION OF WATER MAIN IN KELLOGG FROM SEVILLE TO 119TH STREET WEST. (District V)

Agenda Report No. 02-1267

The City of Wichita provides treated drinking water to 368,000 people. The service population is projected to increase to over 450,000 by 2010. To ensure that future water needs of the service area are met, the Water and Sewer Department initiated a study of its water system. The Water System Master Plan was completed in November 1999, with a number of significant system improvements recommended to ensure adequate service levels now and in the future.

The western portion of the City is expanding resulting in the necessity to extend a 16" water line along Kellogg to 119th Street west. This will increase volume and stabilize pressure for that portion of the water system. The original concept was to extend a single 16" main along the north side of Kellogg to serve properties on both sides of Kellogg; however, installation of water service lines under the Kellogg Freeway is no longer allowed by the Kansas Department of Transportation. Water lines will now be required on both sides of Kellogg to serve the adjacent properties. Coinciding with the Kellogg paving project, a 16" water main will be constructed along the north side and smaller 12" and 8" mains installed under Kellogg to provide service to the south side. Construction will be at a reduced cost compared to installing water lines after the completion of the Kellogg project.

This project was approved as part of the 2001 CIP for \$950,000. Since water lines will now be required on both sides of Kellogg, the current estimate is \$2.1 million. The project will be funded from Water Utility revenues and reserves, and/or a future revenue bond issue.

Motion -- carried

Knight moved that the expenditure be approved and the Resolution be adopted. Motion carried 7 to 0

### RESOLUTION NO. 02-197

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend and enlarge the water and sewer utility owned and operated by the City, and to issue Revenue Bonds in a total principal amount which shall not exceed \$2,100,000, exclusive of the cost of interest on borrowed money, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## EPA

### SECURITY PLANNING GRANT APPLICATION – EPA.

Agenda Report No. 02-1268

In response to the attacks of September 11, 2001, the EPA received a supplemental appropriation from Congress to improve the safety and security of the nation's water supply. The appropriation of \$89 million is intended to reduce the vulnerability of water utilities to terrorist attacks and to enhance their security and ability to respond to emergency situations. On March 31, 2002, the EPA announced financial assistance available to large drinking water utilities. The City of Wichita is one of the

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jurisdictions eligible to apply for up to \$115,000 in funding. Grant funds may be used to pay for the vulnerability assessment that is being conducted by HDR. Applications are due by April 29, 2002.

The City has prepared a grant application for funding for submission to the EPA. The value of the grant will not exceed \$115,000. The monies may be used to develop a vulnerability assessment (VA), emergency response/operating plan (EOP), security enhancement plans and designs, or any combination of these.

The City is requesting a total of \$115,000 in grant funds. The Wichita Water and Sewer Agreement with HDR is not to exceed \$149,600. The grant does not require matching funds, and no local funds are required.

Motion --  
-- carried

Knight moved that the grant application and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## EXIGENCY PUR.

### EXIGENCY PURCHASE – LOADING BRIDGE.

Agenda Report No. 02-1269

Gate 12 at Wichita Mid Continent Airport has been designated as the AirTran gate. The gate can facilitate two aircraft overnight. Gate 12 needs a loading bridge prior to the start of service from AirTran on May 8, 2002. Airtran and the Airport staff have located one (1) refurbished 60/119 Jetway Loading Bridge to support AirTran opening date.

The City Manager approved the purchase of the loading bridge through the issuance of an emergency Purchase Order.

The Purchase Order was issued to Ambridge Services for \$174,000.

Purchasing Ordinance No. 35-856(c) provides for emergency purchase when a public exigency exists which will not permit a delay incident to advertising with approval by the City Manager. The Purchasing Manager is then authorized to negotiate the purchases.

Motion -- carried

Knight moved that the purchase and expenditure of funds be approved. Motion carried 7 to 0.

## INTERNET PERMITS

### PERMITS ON THE INTERNET – CENTRAL INSPECTION.

Agenda Report No. 02-1270

The Office of Central Inspection (OCI) currently uses the Tidemark permitting and development tracking system for building, trade and sign permits, and to issue and track contractor business licenses, testing and certifications. Contractors and homeowners communicate and make application with OCI via telephone, fax, or by coming to OCI offices in City Hall. Each year, OCI issues about 8,000 permits for residential and commercial building construction, remodeling and repair; about 19,000 permits for electrical, plumbing, sewer or mechanical work; and about 1,500 permits for business signs. Each year, OCI also issues about 2,500 contractor business licenses and about 5,500 electrical, plumbing, sewer and electrical trade certificates.

Technology has recently become available to allow permits and licenses to be applied for and issued over the Internet. Permitting on the Internet would allow contractors and homeowners another, more efficient way to conduct business with the City. OCI staff could check applications and issue permits electronically, and customers would be able to receive permits and make payments from their computers. Customers would also have the ability to check the status of permits and permit activity, and to schedule and cancel permit inspections over the Internet. The technology could also be expanded to allow customers and citizens the ability to check the status of Planning Department cases and/or to electronically submit comments on Planning Department cases being tracked by the Tidemark



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system, or to submit neighborhood code enforcement complaints into the Tidemark system via the Internet.

The Wichita Area Builders Association (WABA) supports the project. WABA surveyed their membership earlier in 2001, and their support is based on the results of that survey and subsequent follow-up meetings between City staff and the WABA Industry Board. The City's IT/IS Advisory Board reviewed and recommended the project at their January 9, 2002 meeting.

Purchase and installation of the software and hardware required to submit, issue and track permits, licenses and certificates on the Internet is estimated to cost about \$205,000. Funds are available in the OCI fund. Reserving funds in a project account would allow OCI and Information Technology staff to begin the upgrade process prior to adoption of the 2002 Revised budget.

Budget transfers over \$10,000 require City Council approval.

Motion --  
-- carried

Knight moved that the project be approved and the budget transfer be authorized. Motion carried 7 to 0.

## PROPERTY ACQ.

### ACQUISITION OF PART OF 8525 AND 8601 WEST CENTRAL FOR THE CENTRAL WOODCHUCK TO TYLER PROJECT. (District V)

Agenda Report No. 02-1271

On March 5, 2002, City Council approved an ordinance calling for the improvement of Central Avenue between Tyler and Woodchuck to widen Central to provide six through lanes and a two-way center left turn lane. The improvements will require the partial acquisition of the two corners at the intersection of Central and Robin. A 50 sq. ft. triangular tract is required at each of the corners. Intrust Properties, Inc., owns the Southwest corner and the Southeast corner is owned by Brittany Savings.

The corner properties were valued at \$1,000 each. Both owners have agreed to accept this amount. If the project impacts any improvements, these will be replaced as part of the project.

The Council approved \$500,000 in general obligation bonds for this project. A budget of \$2,500 is requested. This includes \$1000 for each of the corner acquisitions, and \$500 for closing costs and recording fees.

Motion --  
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## PROPERTY ACQ.

### ACQUISITION OF SEWER EASEMENT FOR NORTHWEST SEWER PROJECT – SOUTH OF 13TH STREET NORTH, WEST OF 119TH STREET WEST. (District V)

Agenda Report No. 02-1272

The City Council has approved the construction of force mains, pump stations, and gravity-flow sewer lines to serve northwest Wichita. Part of the planned development calls for the construction of a lift station near the intersection of Azure Lane and Firefly Drive and construction of a main to provide service to the Hickory Creek and Whistling Walk subdivisions. The line and lift station will be on property owned by Scott and Marcia Alter. The project is located south of 13th Street North and west of 119th

The permanent line easement contains approximately 7,950 square feet, the lift station easement contains 1,665 square feet and the temporary easements contain approximately 6,810 square feet. The owner has agreed to grant the City the easements for \$6,000.

A budget of \$6,000 is requested for the acquisition.

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Motion --  
-- carried

Knight moved that the budget, utility Easement and temporary easement be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## FOREST LAKES

### **AMENDING RESOLUTION: STREET PAVING IN FOREST LAKES ADDITION – NORTH OF 29TH STREET NORTH, WEST OF RIDGE ROAD.** (District V)

Agenda Report No. 02-1273

On April 2, 1996, the City Council approved a project to pave streets in Forest Lakes Addition. A portion of the improvement district was subsequently replatted into street right-of-way to access adjoining development.

An amending Resolution has been prepared to remove the street right-of-way from the improvement district.

There is no change to the project budget.

State Statutes provide the City Council authority to modify an improvement district by amending Resolution.

Motion -- carried

Knight moved that the Resolution be adopted. Motion carried 7 to 0.

### RESOLUTION NO. 02-198

A Resolution amending Resolution No. R-96-120 pertaining to the improving of Tee Time from the west line of Lakecrest to the north line of Lot 34, Block 4 and the north line of Lot 16, Block 5; Lakecrest Circle serving Lots 13 through 26; and sidewalk on the east side of Tee Time, from the west line of Lakecrest to the north line of Lot 16, Block 5, Project No. 472-82699 (north of 29<sup>th</sup> Street, west of Ridge), in the City of Wichita, Kansas, pursuant to Findings of Advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## ORDINANCES

### **SECOND READING ORDINANCES: (FIRST READ APRIL 2, 2002)**

a) Orme from Oliver to I-35 - KTA. (District II)

### ORDINANCE NO. 45-287

An Ordinance declaring Orme Street from Oliver Street to I-35 (KTA), to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, read for the second time. Pisciotte moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Gale, Lambke, Martz, Pisciotte, Knight. Fearey – No.

b) Tax Exemption for Industrial Expansion – Mid-Central Manufacturing, Inc. (District IV)

### ORDINANCE NO. 45-288

An Ordinance exempting property from Ad Valorem Taxation for economic development purposes pursuant to Article 11, Section 13, of the Kansas Constitution; providing the terms and conditions for Ad Valorem Tax Exemption; and describing the property of Mid-Central Mfg., Inc., so exempted, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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c) 29th Street North Improvement (Rock Road to Webb Road) and Traffic Signalization at Webb/29th Street and Webb/K-96 Expressway Intersections. (District II)

## ORDINANCE NO. 45-289

1. An Ordinance declaring 29th Street North, between Rock and Webb Road (472-83519) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## ORDINANCE NO. 45-290

2. An Ordinance declaring Webb Road, between 29th Street North and K-96 Expressway (472-83508) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

d) Flood Protection Levels – North Fork of Calfskin Creek. (District V)

## ORDINANCE NO. 45-291

An Ordinance amending Sections 27.04.030, 27.04.040, 27.04.120 and 27.04.140 of the Code of the City of Wichita, Kansas, pertaining to flood damage prevention and repealing the originals of said Section, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

e) 2002 Street Rehabilitation Program. (District VI)

## ORDINANCE NO. 45-292

An Ordinance declaring Arkansas Avenue, from 37th Street North to 45th Street North and 37th Street North from Arkansas Avenue to the Little Arkansas River (2002 Street Rehabilitation Program, 472-83495, to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

f) Acquisition by Eminent Domain of 7310 East Kellogg for the East Kellogg/Rock Road Improvement Project. (District II)

## ORDINANCE NO. 45-293

An Ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the construction and widening of Kellogg Avenue, in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the district Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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- g) Kellogg/Rock Road Interchange. (District II)

## ORDINANCE NO. 45-294

An Ordinance of the City of Wichita, Kansas, amending Sections 3 and 5 of Ordinance No. 44-971 of the City, in order to restate the estimated cost of improvements and the manner of payment of said improvements therein authorized, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

- h) ZON2001-30 - south of K-42, West Side of Ridge Road. (District V)

## ORDINANCE NO. 45-295

An Ordinance changing the zoning classifications of districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by the City of Wichita Code Section 28.04-010, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. ZON2001-30

- i) ZON2001-36 - southwest corner of 119th Street West and Maple. (District V)

## ORDINANCE NO. 45-296

An Ordinance changing the zoning classifications of districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by the City of Wichita Code Section 28.04-010, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. ZON2001-36

- j) ZON2002-00007- between Second and Third Streets, and between Rock Island Avenue and the BNSF Railroad Tracks. (District VI)

## ORDINANCE NO. 45-297

An Ordinance changing the zoning classifications of districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by the City of Wichita Code Section 28.04-010, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. ZON2002-00007

- k) DR2002-00002 – Amendment of Unified Zoning Code Article III.C.4 – the Old Town Overlay District; and Establish Special Sub-Districts with Modified Standards. (District VI)

## ORDINANCE NO. 45-298

An Ordinance providing amendments to Section III-C.4 of the Wichita-Sedgwick County Unified Zoning Code (April 19, 2001 Edition) as adopted by reference in City of Wichita Code Section 28.04.010 by Ordinance No. 44-975, dealing with parking and physical design within the Old Town Overlay District, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. DR2002-00002

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- l) DR2000-00018 – Oaklawn/Sunview Neighborhood Revitalization Plan.

## ORDINANCE NO. 45-299

An Ordinance adopting the Oaklawn/Sunview Neighborhood Revitalization Plan as an Amendment to the Wichita-Sedgwick County Comprehensive Plan, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. DR2000-00018

- m) A02-05 – generally located at Intersection of Harry and 159 Street East. (District II)

## ORDINANCE NO. 45-300

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

### **PAVING PROJECT: (FIRST READ APRIL 2, 2002)**

- a) (490-689/765578/472-83062)

## ORDINANCE NO. 45-250

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving of 135th Street West, from a point ½ mile north of U.S. Highway 54 north to Maple, (south of Maple, west of 119th Street West), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

### **WATER PROJECTS: FIRST READ APRIL 2, 2002:**

- a) (470-659/734989/448-89054)

## ORDINANCE NO. 45-251

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89054 to serve the Caldwell Equipment Addition, (north of MacArthur, west of Ridge Road), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

- b) (470-675/735005/448-89266)

## ORDINANCE NO. 45-252

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89266 to serve the Ridge Port Addition, (north of 29th Street North, east of Ridge Road), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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c) (470-614/734944/448-89423)

## ORDINANCE NO. 45-253

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89423 to serve the following Additions: L. R. Sevens, South Hydraulic Vista, Mar, Glenn Acres, Fran's, South Hydraulic Gardens, Orchard View, Orchard View Second and Unplatted Tracts located in Sections 27 and 28, Township 28 South, Range 1 East, (south of 57th Street, west of Arkansas River), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

d) (470-641/734971/448-89474)

## ORDINANCE NO. 45-254

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89474 to serve the Woodlake Second Addition, (north of Douglas, east of Sheridan), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

e) (470-655/734985/448-89487)

## ORDINANCE NO. 45-255

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89487 to serve the Cessna, C.E.C.U. Additions and Unplatted Tract No. 1 and No. 2 located in Section 3, Township 28 South, Range 1 West, (south of K-42 Highway and east of Ridge Road), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

f) (470-662/734992/448-89493)

## ORDINANCE NO. 45-256

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89493 to serve the Willow Place, Sawmill Creek and 45 Rock Road Industrial Park Additions, (south of 45th Street North, east of Rock Road), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

g) (470-666/734996/448-89509)

## ORDINANCE NO. 45-257

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89509 to serve the Sawmill Creek Addition, (east of Rock Road, north of 45th Street North), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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h) (470-665/734995/448-89511)

## ORDINANCE NO. 45-258

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89511 to serve the Sawmill Creek Addition, (east of Rock Road, north of 45th Street North), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

i) (470-668/734998/448-89517)

## ORDINANCE NO. 45-259

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89517 to serve the Angel Fire Addition, (north of 47th Street South, east of West Street), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

j) (470-671/735001/448-89522)

## ORDINANCE NO. 45-260

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89522 to serve the Shoal Creek Addition, (west of 143rd, south of Central), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

k) (470-667/734997/448-89525)

## ORDINANCE NO. 45-261

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89525 to serve the New Market Square Addition and Tract 1 located in Lot 1, Block 1 of New Market Square, (north of 21st Street, west of Maize Road), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

l) (470-673/735003/448-89531)

## ORDINANCE NO. 45-262

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89531 to serve the Brush Creek Third Addition, (east of Woodlawn, south of 37th Street North), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

m) (470-678/735008/448-89540)

## ORDINANCE NO. 45-263

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89540 to serve the Ellson Court Addition, (south of Central, east of Greenwich Road), read for the

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second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

n) (470-676/735006/448-89542)

## ORDINANCE NO. 45-264

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89542 to serve the Regency Park Addition, (west of Greenwich Road, south of 29th Street North), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

o) (470-681/735011/448-89549)

## ORDINANCE NO. 45-265

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89549 to serve the Shelly's Orchard Addition, (east of Maize Road, north of Pawnee), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

p) (470-682/735012/448-89565)

## ORDINANCE NO. 45-266

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89565 to serve Tara Falls and Tara Falls Second Additions, (south of Harry, east of Greenwich Road), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

q) (470-699/735029/448-89619)

## ORDINANCE NO. 45-267

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89619 to serve the Ascension Lutheran Church Second Addition, (south of Maple, west of 119th Street West), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## **SEWER PROJECTS: FIRST READ APRIL 2, 2002:**

a) (480-568/743880/468-83103)

## ORDINANCE NO. 45-268

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 4, Main 3, Northwest Interceptor Sewer to serve the West Ridge Estates, (formerly Lateral 452, Southwest Interceptor Sewer), (south of 29th Street North, east of 119th Street West), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.



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b) (480-529/743841/468-83112)

## ORDINANCE NO. 45-269

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 39, District A, Sanitary Sewer No. 21 to serve the Woodlake Second Addition, (north of Douglas, east of Sheridan), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

c) (480-549/743861/468-83170)

## ORDINANCE NO. 45-270

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 1, Main 11, Sanitary Sewer No. 23 to serve the Sawmill Creek Addition, (east of Rock Road, north of 45th Street North), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

d) (480-547/743859/468-83178)

## ORDINANCE NO. 45-271

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 6, Main 2, Cowskin Interceptor Sewer to serve the Auburn Hills Twelfth Addition, (west of 135th Street West, south of Maple), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

e) (480-551/743863/468-83182)

## ORDINANCE NO. 45-272

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 463 Southwest Interceptor Sewer to serve the Angel Fire Addition, (north of 47th Street South, east of West Street), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

f) (480-558/743870/468-83219)

## ORDINANCE NO. 45-273

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 3, Main 3, Northwest Interceptor Sewer to serve the Lochs at Aberdeen, Aberdeen Third and Evangel Assembly of God Additions, (north of 21st Street North, east of 119th Street West), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

g) (480-564/743876/468-83220)

## ORDINANCE NO. 45-274

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 66, Main 9, Sanitary Sewer No. 23 to serve the Whispering Brook Commercial Second Addition, (south of 37th Street North, west of

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Woodlawn), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

h) (480-554/743866/468-83223)

## ORDINANCE NO. 45-275

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 301, Four Mile Creek Sewer to serve the Cedar View Second Addition, (east of Greenwich Road, north of Lincoln), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

i) (480-552/743864/468-83224)

## ORDINANCE NO. 45-276

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 302, Four Mile Creek Sewer to serve Metro East Baptist Church Addition and Shoal Creek Addition, (west of 143rd Street East, south of Central), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

j) (480-553/743865/468-83233)

## ORDINANCE NO. 45-277

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 303, Four Mile Creek Sewer to serve the Shoal Creek Addition, (west of 143rd Street East, south of Central), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

k) (480-559/743871/468-83235)

## ORDINANCE NO. 45-278

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 22, Main 13, War Industries Sewer to serve One Kellogg Place Second Addition, (south of Kellogg, east of Greenwich Road), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

l) (480-557/743869/468-83244)

## ORDINANCE NO. 45-279

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 305, Four Mile Creek Sewer to serve the Tara Falls and Tara Falls Second Additions, (south of Harry, east of Greenwich Road), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

m) (480-567/743879/468-83296)

## ORDINANCE NO. 45-280

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 7, Main 2, Cowskin Interceptor

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Sewer to serve the Auburn Hills Eleventh Addition and Unplatted Tract 'A' located in Section 26, Township 27 S, Range 2 West, (east of 151st Street West, north of Kellogg), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## **STORM WATER SEWERS: (FIRST READ APRIL 2, 2002)**

a) (485-174/751283/468-80969)

### ORDINANCE NO. 45-281

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Sewer No. 195 to serve the K. T. Wiedemann Business Park Addition (south of Kellogg, west of Greenwich Road), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

b) (485-180/751289/468-83163)

### ORDINANCE NO. 45-282

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 155 to serve Zoo Business Park Addition (north of 21st, east of Hoover), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

c) (485-182/751291/468-83180)

### ORDINANCE NO. 45-283

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Sewer No. 544 to serve Auburn Hills Twelfth Addition (west of 135th Street West, south side of Maple), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

d) (485-187/751296/468-83232)

### ORDINANCE NO. 45-284

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 162 to serve Savannah Place Addition (west of Tyler Road, south of Maple), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

e) (485-189/751298/468-83234)

### ORDINANCE NO. 45-285

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 163 to serve Y.M.C.A. South Addition (west of Meridian, north of MacArthur), read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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## PLANNING AGENDA

Motion -- carried Knight moved that the Planning Agenda be approved as consensus Items. Motion carried 7 to 0.

**DED2002-09** **DED2002-09 - DEDICATION OF A UTILITY EASEMENT FOR PROPERTY LOCATED NORTH OF EIGHTH STREET AND EAST OF WEST STREET.** (DISTRICT VI)

Agenda Report No. 02-1274

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of Zoning Case No. ZON 2001-35, and is being dedicated for construction and maintenance of public utilities.

The Dedication has been reviewed and approved by the Planning Commission.

Motion -- Knight moved that the dedication be approved and the necessary signatures be authorized. Motion  
-- carried carried 7 to 0.

**DED2002-10** **DED2002-10 - DEDICATION OF ACCESS CONTROL FOR PROPERTY LOCATED NORTH OF EIGHTH STREET AND EAST OF WEST STREET.** (DISTRICT VI)

Agenda Report No. 02-1275

MAPC Recommendation: Accept the dedication.

As a requirement of Zoning Case No. ZON 2001-35, this dedication is being made for complete access control along West Street.

The dedication has been reviewed and approved by the Planning Commission.

Motion -- Knight moved that the dedication be approved and the necessary signatures be authorized. Motion  
-- carried carried 7 to 0.

**DED2002-11** **DED2002-11 – DEDICATION OF STREET RIGHT-OF-WAY FOR PROPERTY LOCATED NORTH OF EIGHTH STREET AND WEST OF WEST STREET.** (DISTRICT VI)

Agenda Report No. 02-1276

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of Zoning Case No. 2001-35, and is being dedicated for street right-of-way along West Street.

The Dedication has been reviewed and approved by the Planning Commission.

Motion -- Knight moved that the dedication be approved and the necessary signatures be authorized. Motion  
-- carried carried 7 to 0.

**DED2002-12** **DED2002-12 – DEDICATION OF PUBLIC UTILITY EASEMENT FOR PROPERTY ON THE SOUTHWEST CORNER OF SECOND STREET AND NORTH KANSAS AVENUE.** (District

Agenda Report No. 02-1277

MAPC Recommendation: Accept the Dedication.

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This Dedication is a requirement of Lot Split Case No. SUB 2002-20, and is being dedicated for construction and maintenance of public utilities.

The Dedication has been reviewed and approved by the Planning Commission.

Motion --  
-- carried

Knight moved that the dedication be approved and the necessary signatures be authorized. Motion carried 7 to 0.

**VAC2001-00060**

**VAC2001-00060 – VACATE 20-FOOT UTILITY EASEMENT SOUTHWEST OF THE WEST HARRY/SOUTH MARKET STREETS INTERSECTION.** (District III)

Agenda Report No. 02-1278

Staff Recommendation: Approve.  
MAPC Recommendation: Approve. (unanimous)

The applicant is requesting to vacate a 20-foot, north-south utility easement, located south of Harry Market Street and on Main Street. The applicant proposes to expand the existing Harry Street Elementary School. City departments and representatives of the private utilities have reviewed the vacation request and have determined the easement can be vacated with the relocation or guarantee of the relocation of the manhole in the easement. The applicant has provided a guarantee.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Motion --  
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

**VAC2001-00002**

**VAC2002-00002 – VACATE ALLEY SOUTHEAST OF THE MERIDIAN AVENUE SOUTH/IRVING STREET INTERSECTION.**

Agenda Report No. 02-1279

Staff Recommendation: Approve.  
MAPC Recommendation: Approve. (unanimous)

The applicants are requesting that the platted 20-foot alley be vacated. The vacation of the alley would extend the applicants' property lines to the middle of the alley, an additional 10 feet for the 3 properties. The vacated alley would move the interior side yard setback on all 3 properties. This would allow the applicant, the City of Wichita, on the north side to build a fire station without encroaching into the interior side setback. City Departments and Representatives of the private utilities have reviewed the vacation request and have determined that there are utilities in the alley; therefore the alley will be retained as an easement.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Motion --  
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

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## AIRPORT AGENDA

Motion --  
-- carried

Knight moved that the Airport Agenda, except Item 31, be approved as consensus Items. Motion carried 7 to 0.

## **AIRPORT**

### SUPPLEMENTAL AGREEMENT NO. 3 – SKYCAP SERVICES.

Agenda Report No. 02-1281

Harrison Armstrong has managed the skycap operation on Wichita Mid-Continent Airport for a number of years as an independent contractor. Mr. Armstrong is responsible for managing the program, maintaining adequate staffing, and providing baggage handling and passenger assistance services to the general public, from 5:00 a.m. until 10:30 p.m. on a daily basis.

Provision of this service as a management arrangement, allows the WAA to contract with an individual on an independent contractor basis, and assigns the responsibility for the supervision of those employees to that individual. Mr. Armstrong is responsible for hiring and training these individuals, as well as assuring that payment of employees and working conditions are in accordance with all applicable wage and hour and other employment laws. The supplement is through November 30, 2002. At that time, the associated costs for maintenance of this program will be reviewed and submitted for approval.

Cost to the WAA for the management of this program is \$82.01 per day. This is a slight decrease from the previous period, and reflects the current cost of providing this service. In the event that increased coverage is required, an additional \$3,000 is included in the supplement, which would allow adjustment of the daily rate, if the increase can be substantiated.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## **AIRPORT**

### WICHITA MID-CONTINENT AND COLONEL JAMES JABARA AIRPORTS TELEPHONE EQUIPMENT MAINTENANCE AGREEMENTS.

Agenda Report 02-1282

The Wichita Airport Authority (WAA) owns and operates the telephone systems on Mid-Continent and Jabara Airports. Tenants are re-billed for use of the system equipment and for telecommunication services, which are purchased at a volume discount and resold with a markup that still results in a savings for the users. Net revenues to the WAA are in excess of \$300,000 per year.

Two local companies provide maintenance with Rolm/Siemens certified technicians – Comm Link, Inc. and Siemens Communications. Mr. John Herde, from Siemens Communications, informed airport personnel that Siemens was not interested in providing maintenance to the Mid-Continent Airport equipment because the CBXII is a product they no longer support. Additionally, Mr. Herde stated that Siemens elected not to bid for the Jabara Airport maintenance agreement. Comm Link is the current provider of these services at both airports, and has been since 1996.

The agreement amount for Mid-Continent Airport is \$64,550.16, and \$9,640.08 for Jabara Airport. These amounts are identical to the amounts included in last year's agreements. Funds are included in the current operating budget for this service. The agreements are for one year and include a 60-day termination and payment cancellation clause.

Motion --  
-- carried

Knight moved that the Agreements be approved as sole source supply and the necessary signatures be authorized. Motion carried 7 to 0.

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## AIRPORT

### TIME SAVER – LIMOUSINE SERVICE.

Agenda Report No. 02-1283

In November 2000, Time Saver entered into an agreement with the Wichita Airport Authority to provide shuttle services to/from Wichita Mid-Continent Airport. This company operated with a KCC license, transporting people from outlying Kansas communities to Wichita. They did not have a license to transport customers within the City of Wichita, however. Time Saver recently changed ownership, and the new owner is desirous of providing services within the Wichita area. In order to provide this service, it is necessary to enter into an airport limousine agreement with the Wichita Airport Authority and obtain a Certificate of Public Convenience and Necessity to be approved by the City Council.

Currently, Time Saver has four vans intended for use in this program. The vehicles have been inspected by the Wichita Transit. Services will include transportation within the City of Wichita and other Kansas communities. Two other shuttle services and three taxicab companies now serve Wichita Mid-Continent Airport.

Revenue to the WAA will be \$100 per month (\$50 for the opportunity to do business on the airport, and \$50 for use of the phone board in the terminal building).

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## (Item 31) AIRPORT

### LAND ACQUISITION BUDGET.

Agenda Report No. 02-1284

On April 10, 2001, the City Council approved a 2001 Capital Improvement Program (CIP) project for pre-acquisition expenses associated with the planned purchase of land adjacent to Wichita Mid-Continent Airport. An amount of \$40,000 was approved to allow for preliminary costs such as appraisals, surveys and environmental assessment fees associated with the purchase of this land.

During the pre-acquisition process, it has been determined additional legal fees and environmental expenses will be incurred. The property pre-acquisition process is being handled through the City of Wichita Property Management Department in accordance with AR 47 and FAA regulations.

The additional expenses will cost approximately \$65,000. The 2002 CIP allows for land acquisition expenses. A portion of the costs will be eligible for reimbursement under the Federal AIP grant program and the Passenger Facility Charge program. The remainder will be funded with General Obligation Bonds paid by airport revenues. After the increase, the total budget for Mid-Continent Airport pre-acquisition expenses will be \$105,000.

Council Member Lambke Council Member Lambke inquired about rising costs.

Chris Cherches City Manager explained that the increased costs are due to FAA required additional appraisals and legal procedures. To receive FAA funds, the City must comply with the additional requirements.

Motion -- carried Knight moved that the budget be approved and the Resolution be adopted. Motion carried 7 to 0.

### RESOLUTION NO. A-02-005

A Resolution declaring that a public necessity exists for, and that the public safety, service and welfare will be advanced by the authorization of certain capital improvements to the Wichita Mid-Continent Airport Facility; and setting forth the nature of said improvements; the estimated costs thereof; and the manner of payment of same, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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## EXECUTIVE SESSION

Motion -- Knight moved that the City Council recess and move to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to potential litigation and legal advice, and preliminary discussions relating to the acquisition of real property for public purposes; and that the Council return to regular session at 11:08 am. Motion carried 7 to 0.

-- carried

RECESS The City Council recessed at 10:46 a.m. and reconvened at 11:08 a.m.

Mayor Knight Mayor Knight announced that no action was necessary as a result of the executive session.

ADJOURNMENT The City Council meeting adjourned at 11:08 a.m.

Pat Burnett CMC  
City Clerk